THE HONOURABLE SRI JUSTICE V.ESWARAIAH

W.P. No. 22131 of 2007

Date:12-10-2007

Between:

S.Ramachandra Naik

...Petitioner

AND

The Commissioner, Panchayat Raj & Rural Development, Hyderabad and two others

.. Respondents

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ORDER:

The petitioner seeks a writ of mandamus to declare the proceedings No. EO RD No.143/2007, dated 03.10.2007 on the file of the 3rd respondent, as illegal and arbitrary.

The petitioner is the Ex-Sarpanch of Pedda Adiserla Pally Gram Panchayat of Nalgonda District during 2002-07 and while so, he received a show cause notice, dated 28.05.2007 from the second respondent for which a detailed explanation has been filed on 19.06.2007 explaining the receipts and expenditure made by him and submitted that he has not misappropriated any funds. It is stated that final orders have been passed by the District Collector on 10.09.2007 stating that the petitioner misappropriated the funds of Rs.17,21,888/-, against the said order, the petitioner filed an appeal on 26.09.2007 before the first respondent.

Having regard to the facts of the case, I am of the opinion that if any appeal said to have been filed by the petitioner before the first respondent is pending, the first respondent may consider and dispose of such appeal and pending disposal of the said appeal, no coercive steps against the petitioner to recover the said amount shall be taken.

With the aforesaid directions, the writ petition is disposed of. No costs.

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V.ESWARAIAH, J.

Date:12.10.2007

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